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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/712,059
		Filing Date	November 14, 2003
		First Named Inventor	David G. Frank
		Art Unit	1746
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission		Attorney Docket Number	9351-291

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Letter to Commissioner Supplemental Application Data Sheet Return Receipt Postcard
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Bereskin & Parr		
Signature			
Printed Name	H. Samuel Frost		
Date	February 28, 2005	Reg. No.	31,696

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# Bereskin & Parr

INTELLECTUAL PROPERTY LAW



February 28, 2005

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Our Reference: 9351-291

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia  
U.S.A. 22313-1450

Dear Sir:

**Re: United States Patent Application No. 10/712,059**  
**For: APPARATUS FOR AND METHOD OF FORMING**  
**SEALS IN FUEL CELLS AND FUEL CELL STACKS**  
**Filed: November 14, 2003**  
**Inventors: David G. Frank et al.**

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The Filing Receipt for this application indicates that the claim to priority from an earlier filed PCT application is inconsistent with data in the USPTO records.

This appears to be correct. The serial number of the PCT application was given as PCT/US02/15837. The correct serial number is PCT/US02/15387. The filing date of the correct PCT application was given, correctly, in the application data sheet as May 15, 2002; your office indicates the filing date on the Filing Receipt as May 17, 2002, and we can only assume that this date is the filing date for the '15837 application.

Accordingly, a correct application data sheet is enclosed. We request that you update your records to show the correct PCT serial number, PCT/US02/15387.

Respectfully submitted,

H. Samuel Frost  
Registration No. 31,696  
/lt  
Encl.

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